CLAIM LISTING

This listing of claims will replace all prior versions, and listings, of claims in the application:

Claim 1 (Previously amended): A device for treating a patient with a breathing disorder, the device configured to fit substantially within a patient's mouth and comprising at least one aperture providing fluid communication between an inside and an outside of the patient's mouth through the mouthpiece, the device further comprising an obstructing member configured to be held substantially within the patient's mouth that obstructs at least a portion of the aperture, the obstructing member configured to limit exhalation air flow more than inhalation air flow through the aperture wherein the obstructing member is configured to allow air to flow through a small area of the aperture in an exhalation direction and through a larger area of the aperture in an inhalation direction.

Claim 2 (Original): The device of Claim 1, wherein the device is configured to be used by a sleeping patient.

Claim 3 (Original): The device of Claim 1, wherein the device is configured to be held between a patient's jaws.

Claim 4 (Original): The device of Claim 1, wherein the obstructing member is configured to reduce an open area of the aperture by a pre-determined amount.

Claim 5 (Canceled)

Claim 6 (Previously amended): The device of Claim 1, wherein the larger area overlaps the small area.

Claim 7 (Original): The device of Claim 6, wherein the obstructing member is further configured to allow exhalation air to flow through an area that is larger than the small area when an exhalation air pressure exceeds a predetermined value.

Claim 8 (Previously amended): A device for use in treating a patient with a breathing disorder, the device comprising a body defining an inside surface and an outside surface and configured to fit substantially within a patient's mouth; the body comprising an aperture in a front portion thereof, the aperture providing fluid communication between the inside surface and the outside surface; and a valve device configured to be held substantially within the subject's mouth and further configured to limit expiratory fluid flow directed from the inside surface to the outside surface more than inspiratory fluid flow from the outside to the inside surface, wherein the aperture has a first area and a second area that is larger than the first area, wherein the valve is configured to permit fluid flow through only the first area in a direction from the inside surface to the outside surface, and through both the first area and the second area in a direction from the outside surface to the inside surface.

Claim 9 (Canceled)

Claim 10 (Original): The device of Claim 8, wherein the body is substantially U-shaped.

Claim 11 (Original): The device of Claim 8, wherein the body comprises at least one concave channel configured to receive a patient's teeth.

Claim 12 (Canceled)

Claim 13 (Previously amended): The device of Claim 8, wherein the second area overlaps at least a portion of the first area.

Claim 14 (Previously amended): The device of Claim 8, wherein the valve device is further configured to allow fluid flow through a third area that is larger than the first area when a pressure of expiratory fluid flow exceeds a threshold value.

Claim 15 (Original): The device of Claim 8, wherein the valve device comprises a movable element pivotably joined to a fixed element that is immovably attached to the body.

Claim 16 (Original): The device of Claim 15, wherein the movable element is joined to the fixed element by a hinge with a pivot axis lying in a plane substantially parallel to the outside surface.

Claim 17 (Original): The device of Claim 16, wherein the movable element comprises a flap that occludes at least a portion of the aperture.

Claim 18 (Original): The device of Claim 17, wherein the flap is secured to the fixed element so as to allow the flap to pivot only inwards.

Claim 19 (Original): The device of Claim 18, wherein the flap is made of a substantially flexible material.

Claim 20 (cancelled)

Claim 21 (Currently amended): A device for treating a patient with a breathing disorder, the device comprising: a housing configured to be held in a patient's mouth, the housing enclosing at least one valve configured to create a first flow resistance to inspiration and a second flow resistance to partially obstruct expiration, wherein the first flow resistance is less than the second flow resistance, further ~~The device of Claim 20,~~ wherein the valve is ~~further~~ configured to create a third flow resistance to expiration when a pressure of said expiration exceeds a threshold pressure.

Claim 22 (Cancelled)

Claim 23 (Previously amended): The device of Claim 21, wherein the valve is movable between first, second and third positions corresponding to the first, second and third flow resistances respectively.

Claim 24 (Canceled)

Claim 25 (Canceled)

Claim 26 (Withdrawn): A method of reducing breathing rate in a sleeping patient comprising: placing a device in the patient's mouth that creates a resistance to expiratory flow that exceeds a resistance to inspiratory flow.

Claim 27 (Withdrawn): The method of Claim 26, and observing a reduction in breathing rate of the patient.

Claim 28 (Withdrawn): The method of Claim 26, further comprising allowing the patient to sleep while wearing the device.

Claim 29 (Withdrawn): The method of Claim 26, wherein the device is placed in the patient's mouth such that it does not protrude therefrom.

Claim 30 (Withdrawn): The method of Claim 26, further comprising obstructing air flow through the patient's nose.

Claim 31 (Withdrawn): A method of increasing oxygen saturation in a patient, the method comprising placing in a patient's mouth a flow restricting device configured to resist expiration to a greater degree than inspiration.

Claim 32 (Withdrawn): The method of Claim 31, further comprising measuring a change in oxygen saturation in the patient.

Claim 33 (Withdrawn): The method of Claim 31, further comprising obstructing air flow through the patient's nose.

Claim 34 (Withdrawn): The method of Claim 31, further comprising allowing the patient to sleep while wearing the device.

Claim 35 (Cancelled)

Claim 36 (Cancelled)

Claim 37 (Cancelled)

Claim 38 (Cancelled)